X P. 01 0039 TRANSACTION REPORT NOV-07-2007 WED 04:35 PM OIL, GAS & MINING FOR: 801 359 3940 DATE START **RECEIVER** TX TIME PAGES TYPE NOTE DP M# NOV-07 04:34 PM 4815351 54" 3 SEND OK 103 X TOTAL:



**GARY R. HERBERT** 

Lieutenant Governor

DATE:

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### State of Utah

**DEPARTMENT OF NATURAL RESOURCES** 

Kovenber 7, 2007

MICHAEL R. STYLER Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA

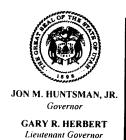
Division Director

Clos fools

54S PAGES:

### UTAH DIVISION OF OIL, GAS AND MINING **FACSIMILE COVER SHEET**

FAX#:	481-5351	
ATTN:	Cally Johnson	
COMPANY:	Chase	
NUMBER OF PAG	ES (INCLUDING THIS ONE):_	3
FROM:	For 6-L	
If you do not receive We are sending from	e all of the pages, or if they are ille a sharp facsimile machine. Our te	gible, please call (801) 538-5340. elecopier number is (801) 359-3940.
MESSAGES:		Called Morgan/Chase on 11/9/07
		on 11/9/07
		to verify John Baya is the Director.
		312-954-2842



# State of Utah

**DEPARTMENT OF NATURAL RESOURCES** 

MICHAEL R. STYLER Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA

Division Director

### UTAH DIVISION OF OIL, GAS AND MINING **FACSIMILE COVER SHEET**

DATE:	hovember 7, 2007	
FAX#:	481-5351	
ATTN:	Cally Johnson	
COMPANY:	Chase	
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Important: This message is intended for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return this original message to us at the above address via regular postal service. Thank you.



## M.B.S.C., L.L.C.

10 West Century Parkway Salt Lake City, Utah 84115

October 30, 2007

JPMorgan Chase Bank, NA Cally Johnson 80 West Broadway, Suite 200 Sait Lake City, Utah 84101

Dear Cally:

Please amend our Letter of Credit #8629378 in the name of M.B.S.C., L.L.C. in the amount of \$2,838,000.00, to show a final expiration date of March 17, 2008 and to delete the auto roll provision.

Sincerely,

M.B.S.C., L.L.C.

By: Meadowsprings, Inc., Manager

CW Demon Breedont

Accepted By:

State of Utah

Department of Natural Resources

Division of Oil, Gas & Mining

RECEIVED

NOV 0 2 2007

DIV. OF OIL, GAS & MINING

BANK ONE, NA - 1717 MAIN STREET, 11TH FLOOR, DALLAS, TEXAS 75201

TELEPHONE: 1-888-525-9395

**IRREVOCABLE STANDBY LETTER OF CREDIT NO. STI20510** 

PLACE AND DATE OF ISSUE: DALLAS, TEXAS 12/23/2002

DATE AND PLACE OF EXPIRY: 12/18/2003 IN DALLAS, TEXAS

APPLICANT: M.B.S.C., LLC.

ADVISING BANK: NOT APPLICABLE

3212 SOUTH STATE STREET SALT LAKE CITY UTAH 84105

BENEFICIARY: STATE OF UTAH

DEPARTMENT OF NATURAL RESOURCES DIVISION OF OIL GAS AND MINING 1594 WEST NORTH TEMPLE, SUITE 1210 SALT LAKE CITY, UTAH 84114 AMOUNT: USD2,838,000.00 TWO MILLION EIGHT HUNDRED THURTY EIGHT THOUSAND AND NO/100 U.S. DOLLARS

GENTLEMEN:

WE HEREBY ESTABLISH OUR IRREVOCABLE STANDBY LETTER OF CREDIT IN YOUR FAVOR AVAILABLE BY BENEFICIARY'S SIGHT DRAFT(S) DRAWN ON BANK ONE, NA WHEN ACCOMPANIED BY THE ORIGINAL OF THIS CREDIT AND THE FOLLOWING DOCUMENT(S):

 BENEFICIARY'S SIGNED AND DATED STATEMENT STATING THAT: QUOTE – PURSUANT TO R645-301-\$80,900, HIAWATHA COAL COMPANY, INC. IS IN VIOLATION OF THE SURFACE MINING CONTROL AND RECLAMATION ACT THE REGULATORY SYSTEM, THE PERMIT AND THE RECLAMATION PLAN. – UNQUOTE

SPECIAL CONDITIONS:
PARTIAL DRAWINGS ARE PROHIBITED.

DRAFTS MUST BE MARKED: "DRAWN UNDER BANK ONE, NA CREDIT NO, STI20510."

WE HEREBY ENGAGE WITH YOU THAT ALL DRAFTS DRAWN UNDER AND IN COMPLIANCE WITH ALL THE TERMS AND CONDITIONS OF THIS CREDIT WILL BE DULY HONORED IF DRAWN AND PRESENTED FOR PAYMENT TO BANK ONE, NA, ATTN: STANDBY LETTER OF CREDIT DEPARTMENT, AT 1717 MAIN STREET, 11TH FLOOR, DALLAS, TEXAS 75201 ON OR BEFORE THE EXPIRATION OF THIS LETTER OF CREDIT.

THIS LETTER OF CREDIT IS SUBJECT TO THE UNIFORM CUSTOMS AND PRACTICE FOR DOCUMENTARY CREDITS (1993 REVISION) INTERNATIONAL CHAMBER OF COMMERCE PUBLICATION NO. 500.

AUTHORIZED SIGNATURE

Bank one, na ss: NOV.0.2: 2007

DIV. OF OIL, GAS & MINING

Catalog \* 08806 (1/98) & 'd 099 'ON

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